Registered No. HSE-49/2016





ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
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W.No.20 AMARAVATI, WEDNESDAY, MAY 24, 2017 **G.31**

PART II - MISCELLANEOUS NOTIFICATIOSN OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

A.P. STATE WAQF BOARD : VIJAYAWADA

(Transit Office at 4th & 5th Floor, Razzack Manzil, Opp. Public Gardens, Nampally, Hyderabad)

SANGEEN JAMIA MASJID AND ITS ATTACHED PROPERTY - SUPERSESSION OF THE MANAGING COMMITTEE - DIRECT MANAGEMENT OF WAQF BOARD IN PUNGANOOR (V&M), CHITTOOR DISTRICT.

Read :- 1) Office Proceedings of even No., Dated : 31-08-2016.

2) Objections filed by Janab Haji K. Inayatulla Sharief Saheb, Dated : 19-09-2016.

3) Office Proceedings of even No., Dt : 01-10-2016 kept in abeyance.

4) Orders of the Hon’ble High Court in WP No. 35759 of 2016, Dated : 27-12-2016.

5) This Office Show Cause Notice of even No., Dt : 18-02-2017 to the President, Managing Committee of subject Waqf.

6) Explanation submitted by Janab MS. Saleem Basha, President, Managing Committee, Dated : 20-03-2017.

7) Orders of the Competent Authority, APSWB, Dated : 05-05-2017.

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F.No.29/K/CTR/2016-Z-IV,- The subject Waqf Institution namely Sangeen Jamia Masjid situated at Punganoor Village and Mandal of Chittoor District and its attached property is a notified Waqf and published in the AP Gazette No. 26 Part-II, Dt : 28-06-1962 under the TD No. 2570 & 2251.

In the reference 1st cited, this Office has constituted the Managing Committee U/Sec.18 of the Waqf Act, 1995 for a period of two years under the Presidentship of Janab MS.Saleem Basha and (10) others for administration and smoothly functioning of subject Waqf Institution.

In the reference 2nd cited, Janab Haji K.lnayatulla Sharief Saheb has filed a petition to dissolve the said Managing Committee as the Committee Members of said Managing Committee were involved in number of Criminal Cases from since time and serious disputes have been cropped up causing law and order problem resulting tension in the locality on 16.09.2016. The antecedents of the disputes were published in various news papers Dt : 17.09.2016.

In view of the law and order problem arised, the Managing Committee constituted was kept in abeyance vide reference 3rd cited. The aggrieved party approached the Hon'ble High court challenging the proceedings No.29/CTR/2016/Z-IV, Dt:17-10-2016. The Hon'ble High Court allowed the writ petition and set aside the impugned proceedings by passing orders Dt : 01-10-2016 is as follows :

"In view of the above facts and circumstances the writ petition is allowed and the impugned proceedings dated : 01-10-2016 are set aside. However, this order will not preclude the competent authority from taking action in accordance with law but on the present set of facts. No order as to costs.

As a sequel thereto, miscellaneous petitions, if any, pending in the writ petition, shall stand closed."

The complaint and the report of the Inspector Auditor Waqfs disclose that there are serious disputes among the Musallies which resulted in breach of peace in the locality on 16-09-2016 and was published in various newspapers Dt : 17-09-2016. Further there is very apprehension of breach of peace, law and order problem in the area. Subsequently different panel frames for constitution of the Managing committee of the said Mosque have been received.

As per orders of the Competent Authority, APSWB Dt: 17-02-2017, this Office has issued Show Cause Notice to the President, Managing Committee U/Sec.67(2) of the Waqf Act, 1995 to submit the explanation "why the Managing Committee should not be superseded so as to conduct the elections as per the procedure laid down in G.O.Ms.No.74, Dt : 20-11-2009 of M.W. Department to avoid breach of peace and to keep sanctity of the place of worship within a period of (30) days".

In the reference 6th cited, Janab MS.Saleem Basha, President, Managing Committee of subject Waqf Institution has submitted explanation that they are managing the affairs of the Institution satisfactorily which contradicts to the fact, that they were even not able to take the charge of the Institution. As such the facts submitted by the Managing Committee are against the truth and the explanation can't be considered. The explanation submitted by the Managing Committee was not supported by evidence as such found not satisfactory.

The matter was placed before the Competent Authority, APSWB, who after careful examination of the matter passed orders, to continue the subject Waqf Institution namely Sangeen Jamia Masjid and its attached property situated at Punganoor (V&M), Chittoor District under the direct management / control of the AP State Waqf Board U/Sec.65(5) of the Waqf Act 1995 by supersession the Managing Committee vide reference 7th read above.

Accordingly, the Waqf Institution namely Sangeen Jamia Masjid and its attached property situated at Punganoor (V&M), Chittoor District shall continue under the Direct Management / Control of the A.P. State Waqf Board U/Sec.65(5) of the Waqf Act, 1995.

Hence, Mr.Shaik Ahamed Basha and Mr.Md.Moula, Inspector Auditor Waqfs, YSR Kadapa District are here by directed to continue the Institution under the direct management and attend the day to day affairs of administration till further orders and also directed to issue the notice to conduct the elections as per G.O. Ms.No.74 respectively.

The Waqf Board reserves its rights to modify / cancel / alter / withhold the orders at any time without assigning any reasons thereof.

Sd/-.,

Dated : 9-05-2017.

CHIEF EXECUTIVE OFFICER,
A.P. State Waqf Board,
Vijayawada.
(TRANSIT OFFICE AT HAJ HOUSE HYDERABAD)

To
1) Mr. Shaik Ahamed,
2) Mr. Md. Moula,
Inspector Auditor Waqfs, Chittoor District.

ADDENDUM NOTIFICATION

F.No.S-42/KNL/AP/2015,- Publication of Addendum notification to A.P. Gazette No. 43-A, dated : 24-10-1963 in Sl.No. 3084 in Page No. 24 & 25 under Column No. 9 In respect of Sy.No. 35/5C1A1 an extent of Ac. 1.28 cts. of Kurnool Revenue Village, within the Municipal Corporation limits of Kurnool bounded within the boundaries and Sy. No. 660/C an extent of 0.16 cts. of Kallur Revenue Village within the Municipal Corporation limits of Kurnool. In respect of Masjid-e-Zabar at Kurnool Town & District.

Column No.9 as per Gazette	Column No. 9 to be Read as
Nil	**A-Schedule Properties:** The Masjid building, graveyard including existing structures whose Door.Nos, shown below, situated within the area of Ac. 1.28 Cents in Sy.No. 35/5C1A1 of Kurnool Revenue Village, within the Municipal Corporation limits of Kurnool bounded within the boundaries as follows. North : Open site of Babu. South: Road. East : Agriculture land of Pullanna. West : Road.

Name of the street	Serial No.	Door No.
Kummarwada	1	34/202-C with four portions 2 in ground and 2 portions in upstairs
	2	34/202-B with four portions 2 in ground and 2 portions in upstairs
	3	34/202-D Hut
	4	34/202-F with three portions including in cellar of the Masjid
	5	34/200-C three portions one in ground 2 in upstairs
	6	34/200-B
	7	34/202-A
	8	34/202-B-2 with ground and 1st floor
	9	34/202-H
	10	34/202-F3 with ground and 1st floor
	11	34/202-G with three portions
	12	34/202-J
	13	34/202-G B with ground and 1st floor
	14	34/202-A1
	15	34/105-A20 with three portions
	16	34/205-A-20-B-1 with two portions
	17	34/105-12 to 19 eight portions
	18	34/105/74-KL
	19	34/202-1
	20	34/202-E2
	21	34/202-A-26
	22	34/202-1
	23	34/202-2
	24	34/202-B2
	25	34/201-C total eight portions 4 in ground and 4 in first floor.

B-Schedule Properties:

The Masjid-e-Zabar Ahle Hadees-2, and four shops situated with an extent of 0.16 cts in Sy.No. 660/C of Kallur Revenue Village within the Municipal Corporation limits of Kurnool.

Sd/-.,

Dated : 15-05-2017.

CHIEF EXECUTIVE OFFICER,
A.P. State Waqf Board,
Vijayawada.
(TRANSIT OFFICE AT HAJ HOUSE HYDERABAD)

JANAB Md. MUKHTHIYAR S/o. S. MAHABOOB BASHA APPOINTED AS A MUTAWALLI FOR A PERIOD OF 2 YEARS IN JAMIA MASJID - SIRIVARAM VILLAGE, LEPAKSHI MANDAL, ANANTHAPURAM DISTRICT.

Read :- 1) This Office Proceedings of even No., Dated : 21-03-2008.
2) Representation of Janab S. Mahaboob Basha, Dt : 05-10-2016.
3) This Office memo of even No., Dated : 09-11-2016.
4) Report of the Inspector Auditor Waqfs, Anantapuramu District, Dated : 15-12-2016.
5) This Office paper notification of even No., Dated : 22-03-2017.
6) Report of the Inspector Auditor Waqfs, Anantapuramu District, Dated : 18-04-2017 along with publication copy in original.
7) Orders of the Competent Authority, APSWB, Dt : 05-05-2017.

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F.No.26/ANT/M/08/Z-IV,- The Waqf Institution namely Jamia Masjid and its attached Waqf properties in Sy.No.193 to an extent of Ac.4.73 and in Sy.No. 166/1 to an extent of Ac. 1.05 Cents under the TD No.9 of Sirivaram Village, Lepakshi Mandal, Anantapuramu District is a notified Waqf and got published in the A.P.Gazette No.26 Part-II, Dt:28-06-1962 at Page No.782 & 783 under SI.No.1248. The notified Mutawalli as per Gazette was died long back.

In the reference 1st read above, this Office has appointed Janab S.Mahaboob Basha as a Mutawalli to the subject Waqf Institution U/Sec.42 of the Waqf Act, 1995 and after he has requested this Office to appoint his son namely Janab Md.Mukhthiyar as a Mutawalli to fill up the vacant place of Mutawalli due to his ill health the Ex-Mutawalli was unable to perform / continue his legitimate duties of Mutawalli as per provisions of Waqf Act respectively.

In compliance to this Office memo Dt:09-11-2016, the Inspector Auditor Waqfs, Anantapuramu District has conducted the enquiry as directed by this Office and submitted his report on Dt: 15-12-2016. And after, this Office has issued paper notification by calling claims or objections from general public for appointment of Janab Md.Mukhthiyar, S/o S. Mahaboob Basha as Mutawalli vide reference 5th read above.

In the reference 6th read above, the Inspector Auditor Waqfs, Anantapuramu District has submitted his report on Dt: 18-04-2017 along with publication copy of Sakshi News paper Dt : 02-04-2017 and confirmed that, there are no claims or objections received against the paper notification for appointment of Mutawalli to the subject Waqf institution.

The matter was placed before the Competent Authority, APSWB, who after examining the matter and passed orders vide reference 3rd read above for appointment of Janab Md.Mukhthiyar, S/o S.Mahaboob Basha as a Mutawalli U/Sec.63 of Waqf Act, 1995 for a period of two years to the subject Waqf Institutions.

Accordingly, Janab Md.Mukhthiyar, S/o S.Mahaboob Basha is hereby appointed as Mutawalli, U/Sec.63 of Waqf Act, 1995 for a period of two years in respect of Jamia Masjid, Sirivaram Village, Lepakshi Mandal, Anantapuramu District.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rules 20 of A.P. Waqfs Rules, 2000 and should follow the instructions issued by the Board for time to time. He should submit the Accounts Budget Income & Expenditure statement and paid Waqf Fund properly, failing which Section 61 and 64 of the Waqf Act, 1995 will be attracted Duties mentioned hereunder.

a) To implement the orders issued by the Board & from time to time.

b) To carry out the directions of the Board.

c) To allow Inspector Auditor Waqfs regarding property accounts, records, deeds and documents relating thereof.

d) To discharge all public duties.

e) To do any other Act which he is Lawfully required to do be or under this Act.

f) Shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any fact.

g) That the Mutawalli is restrictor to grant lease of Waqf property exceeding one year.

h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural land. He should follow Lease Rules 2014 to put open auction through A.P. State Waqf Board.

i) He will not entitled to expend the Monies of Waqf exceeding 10% of the Net annual Income.

As per Sec. 101 (2) of Waqf Act, 1995, *"Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec. 21 of the Indian Penal Code"*. As such, for the illegal act if any, every member of the committee will be liable for penal action. The Committee shall also noted that Sec.3 (ee) defined encroacher, sec. 52-A explain rigorous punishment up (2) years and Sec.61 speaks penalty and punishment upto (6) months for the lapses / charges shown therein, hence should act carefully delinquency and maintain account scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

Sd/-.,

Dated : 9-05-2017.

CHIEF EXECUTIVE OFFICER,
A.P. State Waqf Board,
Vijayawada.
(TRANSIT OFFICE AT HAJ HOUSE HYDERABAD)

To
Janab Md.Mukhthiyar, S/o S.Mahaboob Basha,
Mutawalli of Jamia Masjid,
R/o Sirivaram Village, Lepakshi Mandal, Anantapuramu District.

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